

342/1D516-US1

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)**

09/601965

INTERNATIONAL APPLICATION NO.
PCT/US99/02940

INTERNATIONAL FILING DATE
08 February 1999 ✓

PRIORITY DATE CLAIMED
09 February 1998 ✓

TITLE OF INVENTION

A NOVEL FUNGAL PROTEIN CRITICAL FOR EXPRESSION OF FUNGAL PROTEINS

424 Rec'd PCT/PTO 09 AUG 2000

APPLICANT(S) FOR DO/EO/US

Craig M. THOMPSON, Fan LONG, and Richard C. WOBBE ✓

Applicant herewith submits to the United States Designated/Elected office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S. C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S. C. 371 (b) and PCT Articles 22 and 39 (1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S. C. 371 (c) (2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. A translation of the International Application into English (35 U.S. C. 371 (c)(2)).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c) (3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)) (unsigned).
10. A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98 (with references).
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney an/or address letter.
16. ☒ Other items or information: **Sequence listing: diskette and paper copy; Statement Pursuant to 37 C.F.R. 1.821; Letter Accompanying U.S. National Phase Filing and copy of the International Preliminary Examination Report**

EXPRESS MAIL CERTIFICATE

8/9/00 628221992

I hereby certify that, on the date indicated above I deposited this paper or fee with the U.S. Postal Service & that it was addressed for delivery to the Commissioner of Patents & Trademarks, Washington D.C. 20531 by "Express Mail Post Office to Addressee" service.

Name (Print)

Signature

U.S. APPLICATION NO. (if known sec 37 C.F.R.1.50)

INTERNATIONAL APPLICATION NO. (if known sec 37 C.F.R.1.50)

Attorney's Docket Number
0342/1D516-US2

17. [x] The following fees are submitted:

Basic National Fee (37 CFR 1.492 (a)(1)-(5)):

Search Report has been prepared by the EPO [] or JPO []

\$840.00

- International preliminary examination fee paid to USPTO (37 CFR 1.482)

\$670.00

- No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445 (a) (2))...

\$690.00

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....

\$970.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) ...XXX.....

\$96.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$96.00

Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$

Claims	Number Filed	Number Extra	Rate		
- Total Claims	13-20	0	0 X \$18.00	\$	
Independent Claims	6-3	3	3 X \$78.00	\$234.00	

Multiple dependent claims(s) (if applicable)

+ 260

\$

TOTAL OF ABOVE CALCULATIONS =

\$330.00

Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).

\$

SUBTOTAL =

\$

Processing fee of \$130.00 for furnishing the English translation later the [] 20 [] 39 months from the earliest claimed priority date (37 CFR 1.492(f)).

+

\$

TOTAL NATIONAL FEE =

\$330.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). the assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

+

\$

TOTAL FEES ENCLOSED =

\$330.00

Amount to be
refunded

\$

charged:

\$

a. [X] A check in the amount of \$330.00 to cover the above fees is enclosed.

b. [] Please charge my Deposit Account No.04-0100 in the amount of \$ to cover the above fees.

c. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 04-0100. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Anne E. Zitron
Darby & Darby P.C.
805 Third Avenue
New York, New York 10022-7513

SIGNATURE

NAME Anne E. Zitron

REGISTRATION NO. 41,391

09/601965

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Express Mail Certificate

Date: 8/9/00 Label: EC 628221992

I hereby certify that on the date indicated above I deposited this paper or fee with the U.S. Postal Service and that it was addressed for delivery to the Commissioner of Patents & Trademarks, Washington, DC 20231 by "Express Mail Post Office to Addressee" service.

DBRICK L. BEAR
Name (Print) Signature

Docket No.: 0342/1D516US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Craig M. THOMPSON et al.

Serial No.: TBA Art Unit: TBA
(National Phase of PCT/US99/02940)

Filed: Concurrently Examiner: TBA

For: NOVEL FUNGAL PROTEIN CRITICAL FOR EXPRESSION OF FUNGAL PROTEINS

LETTER ACCOMPANYING U.S. NATIONAL PHASE FILING

Hon. Commissioner of
Patents and Trademarks
Washington, DC 20231

Sir:

Concurrently herewith, applicants are entering into the U.S. national phase under 35 U.S.C. §371.

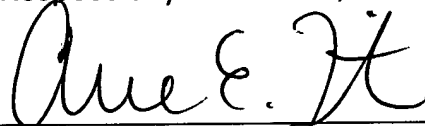
Applicants have received the International Preliminary Examination Report issued in respect of the international application upon which the instant national phase filing is based. A copy of the International Preliminary Examination Report is enclosed for the Examiner's reference.

As can be noted from the International Preliminary Examination Report, Examiner Karen Cochrane Carlson has found all of the claims to meet the PCT criteria under Article 33 (1)-(4) as to novelty, inventive step and industrial applicability.

It is therefore submitted that the claims on file in this application are presently in condition for allowance under U.S. practice.

Pursuant to the provisions of 37 C.F.R. §1.96(b), it is requested that this application be taken up out of order.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Anne E. Zitron", written over a horizontal line.

Anne E. Zitron, Ph.D.
Registration No. 41,391
Agent for Applicants

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